REMARKS

Claims 1-24 are pending in the application.

Claims 1-24 stand rejected.

Claims 1, 5 and 18 have been amended.

Formal Matters

Applicants wish to thank the Examiner for the Examiner's consideration of the arguments made in the Remarks filed 10/06/2005 with respect to the rejection of claims 1, 5, and 18 under 35 U.S.C. §102(e), and for the withdrawal of the rejections based thereunder. Applicants hope that the Examiner will find the arguments below equally compelling.

Rejection of Claims under 35 U.S.C. §102

Claims 1-11, 13, 14 and 18-21 stand rejected under 35 U.S.C. §102(e) as being anticipated by Butler, U.S. Patent No. 6,584,493 (Butler).

While not conceding that the cited reference qualifies as prior art, but instead to expedite prosecution, Applicants have chosen to respectfully disagree and traverse the rejection as follows. Applicant reserves the right, for example, in a continuing application, to establish that the cited reference, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

Claim 1, as amended, now recites:

25. A method for collaborative computing in a system, the method comprising:

allocating a dynamic computing environment using a first user interface, wherein

the dynamic computing environment comprises at least one resource of a

plurality of resources, and

the dynamic computing environment is allocated by virtue of allocating

the at least one resource;

sharing the at least one resource between the first user interface and a second user

interface;

executing an application on the at least one allocated resource using either the first user

interface or the second user interface;

transferring information generated by execution of the application to the first user

interface; and

transferring the information generated by execution of the application to the second user

interface in response to a command to collaborate with the second user interface.

Claim 5, as amended, now recites:

26.   A method for providing sharing of a software process among multiple users, the method comprising:

allocating a distributed computing environment by virtue of allocating a first user computer and a second user computer;

using a resource computer to transmit information about execution of the process to the first user computer, wherein

the resource computer executes the process in a first location, and

a first user operates the first user computer in a second location; and

using the resource computer to transmit information about the execution of the process to the second user computer, wherein

a second user operates the second user computer in a third location, and

the first user computer and the second user computer comprise the distributed computing environment.

Claim 18, as amended, now recites:

18.   A system for sharing a software process among multiple users, the system comprising:

a dynamic computing environment;

a resource computer in the dynamic computing environment that executes the process and transmits information about the process;

a first user computer in a second location configured to receive information about the execution of the process; and

a second user computer in a third location configured to receive information about the execution of the process.

As the Court of Appeals for the Federal Circuit has noted, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegall Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). In addition to showing every element, the reference must teach their arrangement as required by the claim, and Butler does not teach the applicants' claimed method for collaborative computing because Butler fails to describe, or even recognize a dynamic computing environment, and the plasticity and flexibility such a construct provides.

Applicants respectfully submit that Butler fails in both these regards for a number of reasons. First, Applicants respectfully assert that, even disregarding the actions recited as the elements of claim 1, for example, a "resource of a dynamic computing environment" is not taught by Butler. As described in the present Specification, a "... resource is any hardware, software, or communication components in the system." (Specification, p. 7, lines 5-6), as well as computer peripherals, software and/or communication resources, that are part of a dynamic computing environment.

A dynamic computing environment is described therein as follows:

"According to an embodiment of the present invention, the resources for such a processing network are fully selectable and allocable by a system architect. In a specific embodiment, ... technology [is provided] to a system architect for designing a system by allocating resources and specifying how the resources are to be used. The system architect can be an individual, corporate entity, etc. The system is referred to as an 'environment' – or more specifically as a 'computing

environment' and the primary provider of such an environment is referred to as an

Environment Service Provider (ESP). A typical system architect is referred to as

the 'customer.' The primary provider obtains revenue for providing the resources

and the tools to easily select, allocate, configure and run the environment.

The specific embodiment of the present invention allows fast allocation

and configuration of resources such that different environments can be created

from the same resources within minutes, or even seconds. This allows 'time

sharing' of overall resources so that a first environment can be 'alive' or operative

for a time period defined by the system architect (e.g., daily two-hour slot),

followed by second, third and fourth environments being instantly created for the

next four hours for three different customers, and so on. After a time period

expires, such environments might either manually or automatically de allocate

such resources. Since these 'computing environments' can be dynamically

configured and re-configured out of the same set of resources, these will also be

referred to as 'Dynamic Computing Environments'." (Specification, p. 7, lines

27, to p. 8, line 12)

Thus, a dynamic computing environment thus includes one or more resources that are allocated

in order to form the dynamic computing environment, and then shared and used to support the

users of the dynamic computing environment. Subsequently, some or all of these resources can

be deallocated in order to allow the dynamic computing environment to be quickly and easily

reconfigured, and so provide, for example, new and different collaborative experiences for both

those conducting such operations (e.g., a software/hardware demonstration) and those observing

such a demonstration (e.g., a potential customer). As will be appreciated, given the flexibility provided by a dynamic computing environment used in the manner of the claimed invention, all manner of applications will be apparent to one of skill in the art, in light of the application's disclosure.

As recited in claim 1, these resources are *allocated* to form a dynamic computing environment *using a first user interface*. The resource is *shared* between the first user interface and a *second user interface*. An application is then *executed* on the resource using either the first or second user interface. Information generated by the execution of the application is transferred to the first user interface, and can be transferred to the information to the second user interface in response to a command to collaborate with the second user interface. But as will be appreciated, the resource and the application executed thereon are a reflection of the manner in which the dynamic computing environment is configured.

As can be seen, the first and second user interfaces are used throughout the claim. Applicants are unable to identify, either in the cited portions of Butler or elsewhere therein, the use of a user interface to allocate and share a resource of a dynamic computing environment, as well as the other listed functions.

Further, while some correspondence can be drawn between the recited resource of claim 1 and the resource computer of claims 5 and 18, the latter claims are similarly distinguishable from Butler. Specifically, claims 5 and 18 specifically recite a resource computer, and that such resource computer is a part of a dynamic computing environment, leading once again to the issue of the reconfigurability of the claimed dynamic computing environment and the advantages provided thereby. These distinctions alone render the issue of Butler's teachings ineffective.

Moreover, Applicants have amended claims 1, 5 and 18 to more clearly present the foregoing distinctions, particularly with regard to the claimed concept of a dynamic computing environment. Claim 1 has been amended to recite the allocation of:

"...

the dynamic computing environment comprises at least one resource of a plurality of resources, and

the dynamic computing environment is allocated by virtue of allocating the at least one resource;

..."

Claim 5 has been amended to recite that "...allocating a distributed computing environment by virtue of allocating a first user computer and a second user computer ..." Similarly, claim 18 has been amended to recite "...a dynamic computing environment, wherein the resource computer is allocated to allocate at least a portion of the dynamic computing environment ...." These amendments further clarify the fact that the user interfaces are used in the performance of the actions of claims 1, 5 and 18, actions which are not shown, taught or suggested by the cited references.

Applicants respectfully submit, therefore, that independent claims 1, 5 and 18 are allowable over Butler and Applicants respectfully urge the Examiner to withdraw the §102 rejection of claims 1, 5 and 18. Applicants further respectfully submit that dependent claims 2-4, 6-11, 13, 14 and 19-21 are allowable as depending upon allowable base claims in addition to being allowable for various other reasons.

Rejection of Claims under 35 U.S.C. § 103

Claims 15-17, 23 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Butler, U.S. Patent No. 6,584,493 (Butler) in view of Ansberry, et al, U.S. Patent No. 5,887,170 (Ansberry).

Applicants submit that any permissible combination of Butler and Ansberry fails to show, teach or suggest the features recited in claims 15-17, 23 and 24. Applicants respectfully submit that, as noted above, Butler fails to teach all the limitations of the claims from which 15-17, 23 and 24 depend..

Applicants respectfully submit that Ansberry, like Butler, fails to show, teach or suggest a dynamic computing environment, and further fails to cure Butler's infirmity with regard to its lack of user interfaces for performing the claimed allocating, sharing, executing and transferring, as well as computing platforms upon which such user interfaces might be expected to be executed. Ansberry is concerned with a method and system for providing for selectively distributing communications between an application and multiple servers, allowing cooperative use of a single copy of an application. Ansberry's system is situated between an application and the multiple servers. Requests from the application, responses to the requests, and events from the multiple servers, are managed in such a way that each server believes itself to be connected directly to the application and the application believes it is connected directly to a single server. *See* Abstract. Applicants are unable to identify (and the Office Action fails to specify) any part of Ansberry that shows, teaches or suggests a "dynamic computing environment," as recited in independent claims 1, 5 and 18.

Moreover, Applicants are unable to identify any disclosure of the use of the claimed user interfaces in the cited portions of Ansberry, nor, in fact, anywhere else in Ansberry. Thus, Applicants are unable to discern how Butler, even in view of Ansberry, shows, teaches or suggests the use of a user interface to allocate a resource, share a resource, execute an application on an allocated resource using a user interface or transfer information to either of a first or second user interface, since neither Butler nor Ansberry teach a user interface.

To this end, in fact, Ansberry is directed to a method and system that permits communications without the need for user intervention. As noted, Ansberry is directed to managing communication in such a way that each server believes it is connected directly to the application and the application believes it is connected directly to a single server. *See* Abstract. Thus, not only is the claimed user interface not shown, taught or suggested by Ansberry (and so, the combination of Butler and Ansberry), such a user interface would not be expected to be thusly shown, taught or suggested, as such would not be necessary to the operation of Ansberry.

Accordingly, Applicant submits that claims 15-17, 23 and 24 clearly distinguish over Butler in view of Ansberry. Applicant therefore respectfully submits that claims 15-17, 23 and 24 are allowable for at least the foregoing reasons.

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Butler, U.S. Patent No. 6,584,493 (Butler) in view of Moayyad, et al, U.S. Patent No. 6,690,400 (Moayyad). Applicants respectfully traverse this rejection on the basis of the traversal of claims 15-17, 23 and 24, with respect to the fact that Butler, even in view of Moayyad, fails to show, teach or suggest a "dynamic computing environment," as recited in independent claims 1, 5 and 18, and described in detail in those claims (as well as being elucidated in their respective dependent claims), in the Specification of the present application and the discussion herein.
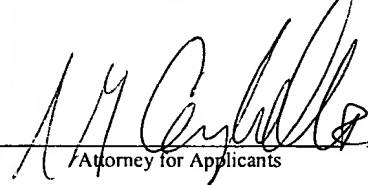
Serial No.: 09/888,110

Moreover, such a combination would further fail to show, teach or suggest the allocation or sharing of a resource, or the execution of an application, using a user interface, or the transfer of information generated thusly, to a user interface

Accordingly, Applicant submits that claim 12 clearly distinguishes over Butler in view of Moayyad. Applicant therefore respectfully submits that claim 12 is allowable for at least the foregoing reasons.
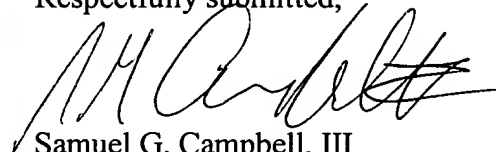
CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 24, 2006.

_____   _____
/Attorney for Applicants   Date of Signature

Respectfully submitted,

Samuel G. Campbell, III
Attorney for Applicants
Reg. No. 42,381
Telephone: (512) 439-5084
Facsimile: (512) 439-5099